MYSORE APPROPRIATION (VOTE ON ACCOUNT) BILL 1968

Introduction

Mr. DEPUTY SPEAKER.—Before I call upon the Minister for Finance to introduce the Appropriation (Vote on Account) Bill 1968, I have to inform the House that the Governor has recommended the introduction and consideration of the Bill.

Sri H. R. ABDUL GAFFAR (Deputy Minister for Finance).—Sir, on behalf of the Minister for Finance I beg to introduce the Mysore Appropriation (Vote on Account) Bill, 1968.

Mr. DEPUTY SPEAKER.—The Mysore Appropriation (Vote on Account) Bill, 1968, is introduced.

Sri H. R. ABDUL GAFFAR.—I beg to move:

"That the Mysore Appropriation (Vote on Account) Bill, 1968, be taken into consideration".

Mr. DEPUTY SPEAKER.—Motion moved:

"That the Mysore Appropriation (Vote on Account) Bill, 1968, be taken into consideration".

The motion was adopted.

Mr. DEPUTY SPEAKER.—The question is:

"That the Mysore Appropriation (Vote on Account) Bill, 1968, be taken into consideration."

The motion was adopted.

CLAUSES

Mr. DEPUTY SPEAKER.—The question is:

"That clauses 2 and 3 stand part of the Bill".

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That clause 1, the title. Preamable and the Schedule stand part of the Bill."

HON'BLE MEMBERS.—No, No.

Mr. DEPUTY SPEAKER.—I think.....

Sri K. H. PATIL (Gadag).—I press for a Division.

Mr. DEPUTY SPEAKER.—Order, order.

(At this stage several hon'ble members stood up)

Sri H. SIDDAVEERAPPA (Harihar).—When a Division is pressed there is no option left to the Chair but to put it to the Vote.

Sri S. R. KANTHI (Minister for Law and Parliamentary Affairs).—I may remind that it has been understood by the Business Advisory Committee that this should be taken without any trouble. Why unnecessarily all these troubles?

Sri DIGAMBAR RAO B. KALMANKAR (Aland).—Sir, procedure must be followed.

Mr. DEPUTY SPEAKER.—Do the members want division?

HON'BLE MEMBERS.—Yes, Sir.

2-30 P.M.

Sri B. P. GANGADHAR (Tumkur).—So many people have got in. You should not have allowed them to come in.

Sri K. H. PATIL.—When poll is demanded, it must be given.

Sri S. R. KANTHI.—Sir, it has been agreed in the Business Advisory Committee that this Appropriation Bill must be passed without any debate and that being so, they should not press for a poll and it is not good on their part to do so. In spite that, if they do so it will set a bad example. The hon. Member Sri Gangadhar may not know about it because he is not a member of the Business Advisory Committee. Even if the Opposition want a poll, we have no objection to it but that will set a bad example.

Sri B. P. GANGADHAR.—This is a procedural matter with respect to the conduct of business of the House and when some members press for a poll, it should be given.

Mr. DEPUTY SPEAKER.—The question is:

"That clause 1, the title the preamble and the schedule stand part of the Bill.

The motion was adopted.

Sri K. H. PATIL.—I demand a poll.

Mr. DEPUTY SPEAKER.—Now, the Deputy Minister for Finance will move the Motion to pass.

Sri K. H. PATIL.—I rise on a point of order, Sir. When poll is demanded, it is not given. All the proceedings that have been gone through are null and void.

Mr. DEPUTY SPEAKER.—There is no point of order.

Sri B. P. GANGADHAR.—The Rules of Procedure are there. When poll is pressed for, it must be given. Except saying that all that has been gone through is illegal what can we do?

Sri K. H. PATIL.—Sir, we have a right to demand a poll and we have demanded it and that too on the strength of sufficient number.

Mr. DEPUTY SPEAKER.—The hon. Member is asking for poll after the result is declared. I now call upon the Hon'ble Deputy Minister for Finance to move the Motion to pass.

Motion to pass.

Sri H. R. ABDUL GAFFAR.—Sir, I move :

"That the Mysore Appropriation (Vote on Account) Bill, 1968 be passed.

Mr. DEPUTY SPEAKER.—The question is :

"That the Mysore Appropriation (Vote on Account) Bill, 1968 be passed."

The motion was adopted.

Sri K. H. PATIL.—Sir, I claim a division.

Mr. DEPUTY SPEAKER.—The motion is passed.

Sri B. P. GANGADHAR.—It is wholesale illegal.

Mr. DEPUTY SPEAKER.—Order, order. The hon. Member is passing a remark against the Chair. That is very bad.

Sri B. P. GANGADHAR.—If you are to do this, it will not be possible for us to continue here.

Mr. DEPUTY SPEAKER.—After I have declared the result, you rose.

ಶ್ರೀ ಬಿ. ಪಿ. ಗಂಗಾಧರ್.—ನಾವು ಮೊದಲಿನಿಂದಲೂ ಹೇಳುತ್ತಾ ಇದ್ದೇವೆ, ನೀವು ಈ ರೀತಿ ಮಾಡುವುದಾದರೆ ನಾವಾದರೂ ಏಕೆ ಹೇಳಬೇಕು, ನಮಗೂ ಸ್ವಲ್ಪ ಮರ್ಯಾದೆ ಇದೆ, ಕಾನೂನು ಬದ್ಧವಾಗಿ ಕೇಳುತ್ತಾ ಇದ್ದೇವೆ, ಕಾನೂನು ಬದ್ಧವಾಗಿ ಮಾಡದಿದ್ದರೆ ಆಚೆಗೆ ಹೋಗುತ್ತೇವೆ ಅಷ್ಟೆ.

Mr. DEPUTY SPEAKER.—Now, I will again put the motion to pass. The question is :

"That the Mysore Appropriation (Vote on Account) Bill, 1968 be passed."

The motion was adopted

Sri K. H. PATIL.—I claim a division. I also rise on a point of order. It is not merely by the Speaker announcing that the Bill is passed, it is passed. We have a right to challenge and we have challenged. If the Speaker has not heard the voice properly, it is not our fault. Therefore, division shall have to be granted. Nobody can stop us from having that.

Mr. DEPUTY SPEAKER.—Before I declared the result, the member could have risen.

Sri K. H. PATIL.—Either immediately before or after we have pressed for poll.

(*Again members demanded a division*)

Sri DIGAMBAR RAO B. KALMANKAR.—Sir, we want division. Most of the Opposition is very clear from the very beginning.

Sri M. S. KRISHNAN.—This is most unfair. Doors were closed and they are now opened and most of them have entered. When several members press for division, is the conduct of the Speaker in consonance with the Rules of Procedure and are you not, Sir, in duty bound to take the poll, when it is demanded ?

Mr. DEPUTY SPEAKER.—When I declared the result, all were keeping quiet. Before I declared the result, one of you could have risen and asked for division.

Sri M. S. KRISHNAN.—From the very beginning, we asked for it.

Sri DIGAMBARA RAO B. KALMANKAR.—We asked for division in the beginning alone.

Sri H. SIDDAVEERAPPA.—I feel that as the Hon'ble members on this side have been saying, there are the Rules of Procedure which will have to be strictly followed, especially in a Budget discussion and that too when financial matters are before the House. The Hon'ble Minister for Parliamentary Affairs brought something that happened in the Business Advisory Committee we have given a Report. I don't think it is mentioned there in the Report that Appropriation Bills have to be passed in due course without any vote. As a gentleman I am prepared to say that we all took it as a matter of course, because full Budget and various Demands are coming up. Therefore, we thought that this is only for an interim period of three months so that the Hon'ble members may have a lot of time to discuss the demands threadbare as and when they come and when the full Budget is presented we may have to say whatever we have to say. Nevertheless, in a democratic Government, it is expected of both the sides to be alert. I am sure as and when our friends on this Side demanded a division, if the matter was taken up, those Hon'ble gentlemen would have been cought napping and could have been cought in the net. Probably this is the first time this is coming up. I humbly appeal to you that when matters come and demands are made with regard to division, to follow the procedure laid down. In view of what was agreed to in the Business Advisory Committee, we may drop this as otherwise it will lead to a bad precedent. Therefore, I am requesting my friends not to press for division now, and I hope this will be the last time. If it is repeated next time, we want your indulgence, and as and when it is raised you should take up.

Sri M. S. KRISHNAN.—Of course Hon'ble Sri H. Siddaveerappa has stated that as far as this particular affair is concerned it should be closed. Here, I may also point out that we did raise it immediately it was put to vote, and according to the Rules of Procedure it is incumbent upon the Chair to see that when division is pressed it must be adhered to. Unfortunately, today it is not done.

Sri C. K. RAJAIAH SHETTY (Chickanaikanahalli).—Sir, you are behaving like a Congressman. We should feel that you should act as Speaker. Your action now rather wound our feelings. I am sorry.

Sri K. H. PATIL.—Irrespective of the results, we may agree.

Mr. DEPUTY SPEAKER.—The matter is closed.

Sri K. H. PATIL.—It cannot be clossed even if the entire House says that it is closed. Since our Leader has assured to save the Government, we do not want to remove the Government. When we demanded a poll, naturally the fate of the Government was in a precarious condition. If our Leader wants to give them time, we will co-operate. People who have belief in democracy should not understand that something is going on, on the wrong side on the Floor of the House. When we have pressed for a division, we heard the Hon'ble Speaker saying that it is not fair on our part to demand the division after the result is announced. I would like to read a paragraph from the book "practice and procedure of Indian parliament" by S. S. More, for your kind reference :

> "When the question has been put, the Chair has to take the sense of the legislature by voices in the first instance. In order to take the sense the Chair puts the question and invites those who are in favour of the motion to say 'Aye' and those against the motion to say 'No.' Such a rule following the House of Commons practice has been common to all the Legislatures from the Legislative Council 1854, to the present Central Legislatures. In some Legislatures the words 'contents' and 'non-contents'are used for the words 'Ayes, and 'Noes' respectively.
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> After the voices are collected the presiding authority declares which party has, in this judgment, the majority by saying 'I think the Ayes (or the 'Noes, as the case may be) have it.
>
> If the opinion so expressed is not challenged the Chair repeats twice 'the Ayes (or the Noes, as the case may be) have it' and the question before the House is determined accordingly in the affirmative or in the negative, as the case may be.

Therefore the question of demanding division comes only after the announcement of the result and not before. In this case, you have not properly heard our demanding the division.

Mr. DEPUTY SPEAKER.—Not after declaring the result ; Law is quite clear.

Sri K. H. PATIL.—If you still say 'let this Government be allowed to continue', I have no objection.

Sri B. P. GANGADHAR.—Whenever we rise on a Point of Order or division is pressed, the first thing that you do is to call us to order. When you say : 'Order, Order', a duty is cast upon us to resum our seats, and

we have to oblige. So much so, you will not be in a position to understand the sincere points that we were trying to drive at and our legal and sensible Points of orders will be drowned ; whatever we wanted to say before you will be washed out, and we will be nowhere. When a member raises a Point of Order or presses for division you should kindly bear with us for a minute or two, find out whether there is legality or sense in what we say and then pass your orders. We never disobey the Chair ; we always honour your words. The Chair must also have regard and respect for us.

BUDGET ESTIMATES FOR 1968-69—DEMANDS FOR GRANTS

DEMAND NOS. 2, 7, 8, 33, 38, 42 AND 51.

Sri B. RACHAIAH (Minister for Revenue and Forests).—Sir, on the recomendation of the Governor, I beg to move :

"That a sum not exceeding Rs.2,77,59,000 including the sums already voted on account be granted to the Government to defrey the charges which will come in course of payment during the financial year for the period ending 31st day of March 1969, in respect of 'Land Revenue ;"

Mr. DEPUTY SPEAKER.—Motion moved :

"That a sum not exceeding Rs. 2,77,59,000 including the sums already voted on account be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1969, in respect of 'Land Revenue. ;

Along with this demand the other demands Nos. 7–Stamps, 8–Registration Fees, 33–Famine Relief, 38–Forest, 42 Payment of compensation to Land Holders etc., on the sbolition of Zamindari system and 51–Capital Outlay on Forests are deemed to have been moved and open for discussion.

†Sri S. R. BOMMAI (Kundgol).—Mr. Speaker Sir, I rise to oppose the demand made before this House. It has been said by the Ministers and also by some members of the Treasury Bench that modernisation and rationalisation of agriculture and taking agricuture as an industry is essential for the economic develpment of this country. But if we look to the attitude of the Government in implementing the Land Reforms, it will be realised whether the Government is really interested in working the socialistic patten of Government or not. So far as the Bombay Land Reforms Act, 1939, is concerned it was time and again amended and ultimately in the year 1955, Bombay Tenancy and Agricultural Lands Act, was passed and it was declared in the Act that on 1-8-1956 the tiller of the land would be the owner of the land. The Minister